

HALL COUNTY BOARD OF SUPERVISORS MEETING MARCH 20, 2007

The Hall County Board of Supervisors met March 20, 2007, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Scott Arnold.

INVOCATION - Invocation was given.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were, Scott Arnold, Jim Eriksen, Bob Humiston, Bud Jeffries, Pamela Lancaster, Robert Rye and Daniel Wagoner. Also present was a representative from the Grand Island Independent and County Attorney Mark Young.

NOTICE OF OPEN MEETING LAW – Chairman Arnold read the notice of the open meeting law.

Consent Agenda – Lancaster made the motion and Jeffries seconded to approve following by consent agenda:

1. Placed on file the minutes of the March 6 meeting
2. 5a Authorized the chair to sign the crossing closure agreement for 150th Road with the Nebraska Department of Roads
3. 5b 1. Approved Resolution #07-020 for the Stop Sign at Foster Road and Shady Bend Road
4. b2 Approved Resolution #07-0021 for the Stop Sign at Stuhr Road & Lowry Road
5. b3 Approved Resolution #07-0022 for the Stop Sign at Stuhr Road and Rainforth Road
6. b4 Approved Resolution #07-0023 for the Stop Sign Monitor Road and Lepin Road
7. b5 Approved Resolution #07-0024 for the Stop Sign at Buffalo Road and Lepin Road
8. b6 Approved Resolution #07-0025 for the Stop Sign at 150th Road and Cedarview Road
9. b7 Approved Resolution #07-0026 for the Stop Sign at Cameron Road and Holling Road
10. b8 Approved Resolution #07-0027 for the Stop Sign at Cameron Road and Schimmer Drive
11. 6 Approve sending a letter of support requesting funding assistance for the Visitors' Caboose repainting project
12. 11 Set the public hearing for the FTA funds for a handi bus for April 3, 2007 at 9:30 a.m.
13. 23 Placed on file the office report from the County Clerk
14. 24 Placed on file the Hall County Treasurer's Miscellaneous Receipts
15. 25 Placed on file communications as received
16. 8 Approved Resolution #078-0028 a resolution amending the Cornhusker Army Ammunition Plant Reuse Committee members. Eriksen proposed one amendment to list the Industrial Property Lessee as being unfilled instead of leaving it blank

Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

OFFICE REPORT
HALL COUNTY CLERK
January 2007

TITLE FEES STATE	\$ 13,633.50
TITLE FEES COUNTY	\$ 7,290.50
RECORDING FEES	\$ 15.00
MARRIAGE LICENSES	\$ 360.00
PHOTO FEES/FAX FEES & MISC.	\$ 25.00
PLAT BOOKS/OTHER	\$ 117.00
CERTIFIED COPIES MARRIAGE LICENSES	\$ 150.00
CCERTIFIED COPIES MV	\$.00
TIME CARD FEES	.00
RETURNED CHECKS	\$.00
TOTAL	\$ 21,591.00

1a. PRESENTATION FROM SPPD REGARDING DECEMBER ICE STORM – Daniel Wagoner stated that he wanted to acknowledge SPPD and all of the people that helped with repairing the damage done by the storm. Leanne Doose with Southern Public Power showed a power point presentation on the December ice storm highlighting some of the hardest hit areas and showing pictures of the damage. The board thanked her for the presentation and their efforts.

1b APPROVE CERTIFICATE OF APPRECIATION – Wagoner made a motion and Lancaster seconded to approve Resolution #07-029 a Certificate of Appreciation to the power companies who assisted with the storm. County Clerk Marla Conley read the certificate.

PUBLIC PARTICIPATION – Chairman Arnold called for public participation and no one responded.

COUNTY ATTORNEY – No items

7. COMPUTER COMMITTEE RECOMMENDATION – DISCUSS AND TAKE ACTION REGARDING DECALS FOR COUNTY VEHICLES – Humiston stated that the committee met and made a final decision on the design. He stated that he was out of town for that meeting. Arnold stated that the cost per vehicles would be about \$50.00 and there are 20 vehicles. Discussion was held where the cost would be paid and it will be paid from miscellaneous general. They will work with the committees to make sure that all of the vehicles are identified.

Lancaster made a motion and Rye seconded to pay the cost of the decals for the county vehicles out of miscellaneous general and come back in 30 days to make sure the project has been completed. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

4 9:30 a.m. BID OPENING ABESTOS ABATEMENT AND BUILDING DEMOLITION AND REMOVAL – The following bid was received:

Environmental Direct	Base Bid	\$99,500.00
Grand Island	Alternate Bid	\$12,000.00 (for fill & compaction)

The bid was referred to the facilities committee and they will come back with a recommendation today.

9 APPROVE PROCLAMATION FOR PUBLIC HEALTH WEEK – Eriksen made a motion and Lancaster seconded to approve Proclamation #07-0029 for Public Health Week April 2nd to 8th. Lancaster thanked Mr. Eriksen for serving on the health board they work with Merrick and Hamilton counties. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

PROCLAMATION
#07-_____
RESOLUTION PROCLAMING APRIL 2nd to 8th
AS
PUBLIC HEALTH WEEK

WHEREAS, Nebraskans have achieved almost 30 additional years of life expectancy since 1900; and

WHEREAS, public health efforts are credited with the majority of improvements in our health status and expanded life expectancy; and

WHEREAS, public health succeeds by identifying and addressing patterns of disease, illness and injury in populations; and

WHEREAS, public health is about ensuring healthy living and working environments; and

WHEREAS, public health measures such as controlling the spread of disease, maintaining safe food and drinking water, and providing maternal and child health services, have prevented countless deaths and improved our quality of life; and

WHEREAS, public health efforts protect against bioterrorism and new emerging public health threats; and

WHEREAS, public health services benefit all Nebraskans, regardless of age, culture or race; and

WHEREAS, public health services result in healthy Nebraskans in healthy communities; and

WHEREAS, it is important that we do not take public health for granted and that we recognize the need to maintain and improve our current public health efforts.

Now, therefore, be it resolved that we proclaim April 2nd to 8th as National Public Health week in Grand Island and Hall County.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007

Resolution moved by Supervisor _____

Seconded by Supervisor _____

VOTE:

Scott Arnold	For ____; Against ____; Abstained ____; Not Present ____.
Bob Humiston	For ____; Against ____; Abstained ____; Not Present ____.
William P. Jeffries	For ____; Against ____; Abstained ____; Not Present ____.
Pamela Lancaster	For ____; Against ____; Abstained ____; Not Present ____.
Jim Eriksen	For ____; Against ____; Abstained ____; Not Present ____.
Bob Rye	For ____; Against ____; Abstained ____; Not Present ____.
Daniel Wagoner	For ____; Against ____; Abstained ____; Not Present ____.

HALL COUNTY BOARD OF SUPERVISORS

Chairman Hall Board County Board of Supervisors

Marla J. Conley Hall County Clerk

10. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE BILLS – A list of the bills was included in the packets and Arnold questioned if the board wanted to address any of the bills. Eriksen stated that he would like to go over them. Wagoner stated that he was opposed to LB 255 that addresses sick leave. Discussion was held the board postponed this discussion until later in the meeting.

12 DISCUSSION AND POSSIBLE ACTION REGARDING CLERK OF THE DISTRICT COURT SPACE NEEDS AND PERSONNEL NEEDS FOR PASSPORT ISSUANCE – Clerk of the District Court Valorie Bendixen was present. She stated that since the Federal government approved the Western Hemisphere Travel Initiative any traveling to Canada or Mexico is required to have a passport. All air travel now requires a passport. Effective January 23, 2008 all land and sea travel will require a passport, but there is discussion to extend this requirement until June of 2009. As a result of these new regulations the number of passports that her office issues has tripled. That is a problem because the number of people applying is taking up staff time and space at her counter.

Eriksen stated that the justice committee met and they are recommending to authorize the Clerk of the District Court to hire up to one full time person for one year to assist with

the passport issuance. They do not know if this increase will be temporary so they will have to monitor the situation.

Lancaster stated that the committee also suggested looking for another location so the passport application process would not interfere with the regular office functions. This additional person would be dedicated to work on issuing the passports.

Jeffries noted that at a location in Massasschutes they issued 4 million passports and they estimate that they will issue 5 million this year. In January it requires that any one using air travel to have passport and next year it will require all land and sea travel to have a passport. It was also noted that now any one under the age of 16 will have to come back in 5 years to renew their passports, so it does not appear that the numbers will decrease anytime soon.

Lancaster stated that the county wants to continue to offer the service and appreciates the efforts of homeland security, so the committee recommends hiring the additional person.

Rye questioned if anyone can come to Hall County to apply for a passport and Ms Bendixen stated that they can. Her office is a receiving agent. They have to determine if the documents provided are correct then forward the information to the passport agencies. She stated that Buffalo, Adams, Merrick and Howard counties all issue passports and in Lincoln and Omaha the Post Offices also issues passports. The local post office does not do this.

County Attorney Mark Young encouraged the committee to address the security issues and the concerns on the traffic flow. Discussion was held to retain the function in the court house.

Eriksen made a motion and Lancaster seconded to authorize the Clerk of the District Court to hire 1 full time position for up to one year for the passport processing.

It was suggested that when the location of the passport office was discussed that the County Attorney, County Sheriff and building and grounds all be included.

Rye asked that she keep the board informed and monitor the traffic and numbers. There is a \$30.00 passport fee and over the last few months she has submitted \$47,000.00 in revenue. The committee looked at the revenue that has been generated and considered hiring a part-time person but they are recommending one full time position at this time. She stated that she will move some one from her office to this position and hire a new employee for her office.

The vote on the motion to approve hiring one full time person was taken. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

Chairman Arnold called for break for the facilities committee to meet regarding the bid opening.

Returned to session at 10:30 a.m.

Held a Board of Equalization meeting,

The facilities committee met and reviewed the bid. The original engineers estimate was significantly less than the bid that was received. The committee recommends to reject the bid.

Jeffries made a motion and Wagoner seconded to reject the bid from Environmental Direct. Arnold, Erikson, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

Jeffries stated that the County will proceed with the project but they need to refer this back to the committee and look at the project and how the bids were requested. Mr. Wagoner suggested contacting the fire department but the duplex is too close to the County Attorney building.

Lancaster stated that this is an important project and the plan is to proceed but there may be a better way to establish the bid process. They may need to break out the different steps for the bidding.

10. DISCUSSION AND POSSIBLE ACTION ON LEGISLATIVE BILLS – Board Assistant Stacey Ruzicka reviewed the legislative bills with the board members.

The below bills are on Final Reading

LB255 Changes the Nebraska Wage Payments and Collection Act to clarify that sick leave is a conditional benefit and is not required to be reimbursed when employment is terminated unless employer and employee have agreed to it. This will not change how Hall County handles the leave policies.

The below bills are on Select File

LB305 Change distribution of motor vehicle sales tax from the leasing of motor vehicles to the Highway Trust Fund rather than the state General Fund. This change would direct the leasing tax to the same funding program as other sales taxes from motor vehicles.

LB389 Change provisions relating to public records dealing with job applicants and “finalists” *Speaker Priority* this addresses the issue with the Board of Regents last year

The below bills are on General File

LB208 Changing requirements for labor and material bonds. Currently not required for projects by local subdivision of \$5,000 or less, or for any state project \$15,000 or less. LB208 as amended by committee provides that local projects of \$10,000 or less and state projects of \$15,000 or less would not require bonds this should help with small bidding on small projects
Speaker Priority

LB391 Would require public records requests to be more specific. Would amend Open Meeting Act giving the public the right to speak at meetings on agenda items as allowed by presiding officer. Would require a form for citizens to recommend subjects for discussion as possible agenda items at future meetings

- LB502 Would increase the exemptions for inheritance tax rates and change the tax rates *Priority*
- LB622 Would require public officials to take a training course regarding public records requests and open meetings laws *Speaker Priority*
- LB639 Change powers and duties of County Attorneys to control and supervise all legal matters affecting the county or any political subdivisions headquartered within the county
- LB663 Change distribution and allocation of motor vehicle registration fees to reallocate all to the Highway Allocation Fund
- LR2CA Proposes a constitutional amendment to remove the requirement that property be substandard and blighted for purposes of rehabilitation, acquiring, or redeveloping such property through tax increment financing (TIF) *Speaker Priority*

The below bills are still in Committee

- LB10 Would terminate Inheritance Tax effective January 1, 2007 (Public Hearing – January 31)
- LB13 Would adopt procedures for the creation and certification of joint entities under the Interlocal Cooperation Act, allowing for more oversight of entities created under this act (Public Hearing – January 19)
- LB282 Would terminate Inheritance Tax effective January 1, 2008 (Public Hearing – January 31)
- LB377 Would increase the number of 9th District Court Judges (Buffalo and Hall County) from 3 to 4 effective July 1, 2007 (Public Hearing – February 28) *Judicial Committee Priority Bill*
- LB439 Creation of the Highway Finance Task Force to examine a variety of issues related to street and road funding (Public Hearing – February 27)
- LB448 Change the timeframe for filing a claim under the Political Subdivisions Tort Claim Act from one year to two years (Public Hearing – February 7)
- LB535 Provides Property Tax Relief by creating a division of Juvenile Legal Services within the Commission of Public Advocacy and will transfer funding from the counties to the state (Public Hearing – March 8)
- LB587 Would remove a statutory cap of \$3.9 million to fund the County Jail Reimbursement Program (Public Hearing – February 28)
- LB628 Change current law regarding the restricted fund lid and levy limits. Includes Hall County's allowable growth issue, but also exempts certain

capital improvements from both the lid and the levy (Public Hearing - February 22)

LB676 Raise the penalty issued to a railroad company when a train blocks a public crossing for longer than ten minutes (Public Hearing – February 26)

The below bills have been killed by Committee

LB7 Clarifies open meetings act regarding citizen testimony

LB212 Would allow counties to enact ordinances regarding towing, control of dogs and cats, sidewalk obstructions

LB695 Would remove ability of cities and villages to ban concealed handguns

Wagoner stated that he would like to support LB 676 regarding the railroad crossings

Eriksen made a motion and Wagoner seconded to send a letter of support to the local senators regarding LB 502. Arnold, Erikson, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND REGULAR CLAIMS AND ACTION ON CLAIM AUDIT - The board member reviewed the claims. Discussion was held on the claim to INFO USA. This was coded to be taken out of miscellaneous general but after discussion this was changed to the County Treasurer's budget line item.

A claim was submitted from the public defender's office for training to be paid out of the Justice System budget murder trial line item but training has not been paid from this line item before. Discussion was held.

Lancaster made a motion and Rye seconded to approve the bi weekly pay claims and to approve the regular claims. Claim #07030302 will be changed to be paid from the public defenders budget from the training line item.

Wagoner noted the medical expenses. The medical contract that is in place is helping to control some of the costs.

The vote on the motion to approve the claims was taken. Arnold, Erikson, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and none voted no. Motion carried.

NEW OR UNFINISHED BUSINESS – Chairman Arnold called for new or unfinished business and no one responded.

BOARD MEMBERS REPORTS – Arnold stated that he attended Legislative Day delivered a letter and talked to senators and discussed LB587. He also attended a reception

Wagon stated that he attended an orientation meeting with Mid Plains. He also toured the ethanol plant in Wood River and Bio Fuels would like to meet with the full board to tour the facility some time after May 1st. This plant will send out 12 cars of ethanol every day. Arnold asked Mr. Wagoner to schedule a date for this tour.

Stacey noted that there are some problems with the video equipment and that GITV is also having equipment issues. The board meetings will continue to be aired in the morning but the evening time has been discontinued at this time. Wagoner questioned why this is not available to the entire county. It is aired on Channel 56. and GITV does it as a public service.

Meeting adjourned at 11:35 a.m. the next meeting will be April 3, 2007 at 9:00 a.m.

Marla J. Conley Hall County Clerk